REMARKS/ARGUMENTS

Applicant hereby requests further acknowledgment of the Information Disclosure Statement filed August 3, 2000 (see attached PTO Form 1449 where item AG is not acknowledged).

Amendments have been made to the specification to improve the readability of the application. The amendments made herein are of a clerical, typographical or grammatical nature. It is submitted that the proposed amendments to the drawings and specification do not constitute new matter or are such to require reexamination

Claims 32, 45, 50, and 55 have been amended to correct a minor error, namely a lack of antecedent basis. These corrections are of a clerical nature and do not add "new matter."

The 35 U.S.C. § 102 Rejection

Claims 32, 45, 50 and 55 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Civanlar et al.[1] The Office Action states that Civanlar teaches

> "a memory (see Fig.2, #200 and col.4, lines 29-30); a network interface coupled to said memory (see Fig.2, #201 or #202 and col.4, lines 30-34); and a processor (see Fig.2, #204 and col.4, lines 34-35 & 40) for performing the steps of: receiving the request at a switch or router (see col.3, lines 37-41 and col.6, lines 66-67); examining an original location address in a header in the request (see col.3, lines 58-62); comparing (see col.4, lines 3-7) said original location address with one or more entries in a table in a cache (see Fig.2, #209 & #240 and col.4, lines 36-37) coupled to said switch or router (see Fig.2), if said cache exists (see col.4, lines 35-38 & 40-42 and col.4, line 67 to col.5, line 3); forwarding the content from said cache to said user if an entry in said table in said cache has an original location field identical to said original location address (see col.8, lines 23-28 and col.10, lines 6-7); and transferring said request to another switch or router if said cache does not exist or said cache does not have an entry in said table with an original location field identical to said original location address (see col.9, lines 4-7)."

Office Action, page 3. This rejection is respectfully traversed.

[1] U.S. Patent 6,078,963

According to the M.P.E.P., a claim is anticipated under 35 U.S.C. § 102(a), (b) and (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.[2]

Civanlar teaches a system and method that reduces the bottlenecking problems associated with a centralized routing and forwarding engine. Civanlar's router has a plurality of intelligent router ports (103 of Fig. 1 and Col. 3, line 14), where each intelligent router port may have its own routing and/or forwarding engines (105 of Fig. 1 and col. 3, lines 43-45) so that a centralized master routing and forwarding engine is unnecessary. Col. 1, lines 57-58. Thus, Civanlar teaches an improved system and method of forwarding and routing data packets. It does not teach or suggest "handling a request for content made to a content provider from a user in a network."

Applicants respectfully submit that the Office Action is inconsistent as to what allegedly comprises "content" in Civanlar. In some instances, the Office Action equates "content" with Civanlar's routing table configuration data used for updating each of the routing databases (col. 3 lines 43-46) and routing tables 104 (col. 3, lines 57-62). For example, page 3 of the Office Action cites col. 8, lines 23-28 of Civanlar, "...the routing data may be forwarded directly to the internal interface and/or back to the buffer in the external interface...," as teaching the claimed step of "forwarding the content from said cache to said user." Similarly, page 7 of the Office Action cites col. 3, lines 53-55 of Civanlar, "the routing database may be configured to store the routing tables and/or other data for use by the forwarding engine and the routing engine" as teaching the claimed step of "storing the content in a cache." In other instances, the Office

[2] Manual of Patent Examining Procedure (MPEP) § 2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Action equates "content" as used in the claims with the data packets (e.g., Open System Interconnection (OSI) model Layer 3 data packets such as IP packets) that are processed by Civanlar's forwarding engine. Col. 3 line 66 through col. 4 line 1. For example, page 7 of the Office Action, cites col. 6, line 66 through col. 7, line 1 of Civanlar, "where a data packet is received from the network interface, the data packet may be stored in the buffer of the external interface processor/buffer" as teaching the claimed step of "receiving the content forwarded from the original location." Applicants respectfully point out that these interpretations are inconsistent with each other and request clarification as to the position of the Patent Office in this regard. Nevertheless, applicants maintain that neither interpretation precludes patentability. Therefore, Applicants will discuss both the scenario in which "content" is equated with routing table configuration data and the scenario in which "content" is equated with data packets.

If "content" is equated with the data table configuration data, Civanlar does not teach or suggest "receiving the request at a switch or router (as described in the body of Claim 32)," wherein the request is received from a user (as described in the preamble of Claim 32). A user on Civanlar's network does not request routing table data and so there is no request to be received. Furthermore, Civanlar does not teach or suggest "forwarding content from said cache to said user if an entry in said table in said cache has an original location field identical to said original location address." The Office Action cites Civanlar, col. 8 lines 23-28,("upon finding a matching address, the routing data may be forwarded directly to the internal interface 202 and/or back to the buffer in the external interface to label the data packet with an identifier to inform the switching fabric via the internal interface 202 of the best outgoing intelligent router port 103") as allegedly teaching the claimed "forwarding content from said cache..." However, the cited portion of Civanlar merely shows that when a matching address is found, Civanlar labels the

packet before forwarding it. The identifier is never received by the user. In other words, Civanlar does not forward the actual information stored in the cache to the user, but merely uses the information stored in the cache to determine where a data packet is routed.

Furthermore, Civanlar does not teach "forwarding the content from said cache to said user if an entry in said table in said cache has an original location field identical to said original location address." While Civanlar uses routing table configuration data to update the routing table, there is no reason for it to keep track of or make decisions based on original location addresses of the routing table configuration data. A router does not care where the updated routing table came from, it only cares that it is updated.

If on the other hand, "content" is equated with OSI Layer 3 data packets, Civanlar does not teach or suggest the claimed "transferring said request to another switch or router if said cache does not exist or said cache does not have an entry in said table with an original location field identical to said original location address." The Office Action cites Civanlar, col. 9 lines 4-7 as teaching "transferring said request." However the cited section of Civanlar indicates a system configured to "forward the data packets via the switching fabric to a selected one of the intelligent router ports responsive to the routing table, and independently generate and maintain a routing table." The cited portion of Civanlar merely indicates that forwarding occurs. It does not teach or suggest making a decision on where to forward a request based on whether a cache exists or whether an original location address for the requested content is stored in the cache.

Therefore, Applicants submit that claim 32 is in condition for allowance. For the same reasons independent claims 45, 40 and 55 are in condition for allowance. Accordingly, it is respectfully requested that the rejection of these claims be withdrawn.

The First 35 U.S.C. § 103 Rejection

Claims 37 and 40, which are independent claims, stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Civanlar et al.

Claim 37

As per claim 37, the Office Action states that Civanlar

> "teaches of an apparatus for updating content in a computer network including: "a cache (see Fig. 2, #203); a routing table entry creator (see col.3, lines 23-27) coupled to said cache; and a routing table entry forwarder (see Fig. 1, #105) coupled to said cache and to said routing table entry creator."

Office Action, page 4. The Office Action further states that

> "Civanlar does not explicitly teach of a routing table entry creator as its own device or module, but it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ any various integration of the modules so long as the functionality of the apparatus as a whole remain the same (See Civanlar, col.2, lines 46-53; col.4, lines 47-58; and col.5, lines 4-5)."

Office Action, page 4. This rejection is respectfully traversed. According to the Manual of Patent Examining Procedure (M.P.E.P.),

> To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicants' disclosure.[3]

As discussed above, Applicants are uncertain with what in Civanlar the Office Action equates the "content" of the claims. If the Office Action equates "content" with the routing table configuration data, Applicants maintain that Civanlar does not teach or suggest the "routing table creator" of the claims. Employing a routing table entry creator to the device of Civanlar would

[3] M.P.E.P § 2143.

not have been obvious as suggested by the Office Action, because Civanlar does not teach or suggest "creating a routing table entry for content in a cache." In the present application, the "routing table entry creator creates a routing table entry for content in a cache." Specification, page 17, lines 19-20. The "content" is distinct from the "routing table entry for the content." *See e.g.*, Specification, page 15, lines 3-7; 502 and 504 of Fig. 9. However, the Office Action's statements of what comprises "content" and record identifying "content" are not distinct. The Office Action equates the "routing table data" of Civanlar, with both the "routing table entry for the content" and the "content" of the claims. Specifically, page 6 of the Office Action cites col. 3, lines 54-55, thereby equating "the routing tables and or data for use by the forwarding engine" with the "record identifying the content" of the claims. At the same time, both page 6 and 7 of the Office Action cite col. 3, lines 53-55 of Civanlar, thereby equating "storing routing tables and/or other data for use by the forwarding engine" with "storing the content in a cache" in the claims. The routing table data cannot be both the "content" and a "routing table entry for the content." Therefore, when the routing table data itself is the "content," there would be no motivation to create an additional routing table entry for this "content". In other words, there would be no reason to create an additional routing table entry for this already pre-existing routing table configuration data.

On the other hand, if the Office Action is equating "content" with OSI model Layer 3 data packets, Applicants likewise maintain that neither of the references teaches or suggests a routing table entry creator of the claims. In the present application, "a routing table entry creator 650 creates a routing table entry for the content in a cache 652, said routing table entry having a record with a location field with the original location of said content, a distance field indicating the distance from said cache 652 to the original location of said content, and a version number

field indicating the distance from said cache 652 to the original location of said content." Specification, page 18, lines 7-17. When discussing the second §103 rejection, page 6 of the Office Action admits that Civanlar does not teach a "record having a distance field indicating a distance from said particular cache to the original location of said content, and a field indicating a version number of said content" but alleges that Green does. Office Action, page 6. The Office Action further alleges that "it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Green with Civanlar." Office Action, page 6. However, while Green mentions version numbers, it does not teach or suggest storing the version number of the content. In Green, the multicast routing protocol header includes a version number. This "version number is used to distinguish compatible versions of the multicast routing protocol." Col. 7, lines 29-31. Thus, Green's version numbers correspond to different versions of multicast routing protocols and not the content to be distributed to users in a computer network (which the Office Action equates with data packets). Green does not teach or suggest the storing of any record to include a version number. Therefore, it would not have been obvious for one skilled in the art to combine a routing table entry with fields in a multicast routing protocol header.

Claim 40

As per claim 40, the Office Action states that Civanlar teaches:

" an apparatus for handling a request for content from a user in a computer network, including: a request receiver (see Fig.2 #202 or #212); a cache (see col.7, lines 3-4 & 24-28); an original location address examiner coupled to said request receiver and to said cache (see col.7, lines 3-4 & 24-28); an original location address comparator coupled to said original location address examiner and to said cache receiving the request at a switch or router (see col.7, lines 3-4 & 24-28); a content forwarder (see Fig.1, #105) coupled to said original location address comparator and to said cache; and a request transferer (see

> Fig.2, #202 or #212) coupled to said request receiver (see fig.2, #202 or #212) and to said original location address comparator."

Office Action, pages 4-5. The Office Action further states,

> "Civanlar does not explicitly teach of the coupling of the devices or modules, but it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ any various integration of the modules so long as the functionality of the apparatus as a whole remain the same. see col.2, lines 46-52; col.4, lines 47-58; and col.5, lines 4-5."

Office Action, page 5.

As discussed above, Applicants are uncertain with what in Civanlar the Office Action equates the "content" of the present claims. If "content" is equated with the data table configuration data, Civanlar does not teach or suggest "a request receiver," "original location address examiner", or "original location address comparator" according to the present claims. In the specification,

> "a request receiver 700 receives a request for content from a user at a switch or router. An original location address examiner 702 coupled to said request receiver 700 and to a cache 704 examines an original location address in a header in the request. "An original location address comparator 706 coupled to said original location address examiner 702 and to said cache 704 compares the original location address with one or more entries in a table in said cache to determine if said content is sotred in said cache 704."

Specification, page 19 lines 1-13. As discussed above in response to the rejection of Claims 32, 45, 50 and 55, Civanlar does not teach or suggest "receiving a request for content from a user at a switch or router," "examining a local address of the request received," or "comparing the local address of the request received with a table in the cache." Furthermore, Civanlar does not employ the "content forwarder" and "content transferer" of the present claims. In the present application, a "content forwarder ...forwards the request from the cache 704 to the user if an entry in the table in the cache 704 has an original location field identical to said original location address." *See* Specification, page 19 lines 4-7. On the other hand, "if the cache does not exist or

the cache does not have an entry in the table with an original location field identical to the original location address, the request is transferred to another switch or router using a request transferer 710." *See* Specification, page 7-10 and Claim 32. However, as discussed above in response to Claims 32, 45, 50 and 55, Civanlar does not teach or suggest "forwarding the content from said cache to said user" and "transferring said request to another switch or router if said cache does not exist or said cache does not have an entry in said table with an original location field identical to said original location address." Therefore, Civanlar does not teach or suggest the claimed "content forwarder" or "content transferer."

If the Office Action equates the "content" with the data packets to be routed (Civanlar, Column 3, line 66 through Column 4, line 1), Applicants maintain that Civanlar does not teach or suggest the claimed "request transferer." In the present application, if the cache does not exist or the cache does not have an entry in the table with an original location field identical to said original location address, the request is transferred to another switch or router using a request transferer." *See e.g.* Specification, page 19, lines 7-10. However, as discussed above in response to the rejection of claims 32, 45, 40 and 55, Civanlar does not teach "transferring said request to another switch or router if said cache does not exist or said cache does not have an entry in said table with an original location identical to said original location address."

Applicants respectfully maintain that independent claims 37 and 40 are in condition for allowance. Accordingly it is respectfully requested that the rejection of these claims be withdrawn.

The Second 35 U.S.C. § 103 Rejection

Claims 1-5, 10-14, 19-23, 28, 29, 33, 38, 39, 41-44, 46-49 and 51-54 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Civanlar et al. in view of Green[4], among which claims 1, 10, 19, 41-44, 46-49 and 51-54 are independent claims. This rejection is respectfully traversed.

Claims 1, 41, 46 and 51

As per claim 1, 41, 46, and 51, the Office Action states that Civanlar teaches a method, a method, program, and apparatus including:

> "a memory (see Fig.2, #200 and col.4, lines 29-30); a network interface coupled to said memory (see Fig.2, #201 or #202 and col.4, lines 30-34); and a processor (see Fig.2, #204 and col.4, lines 34-35 & 40) for performing the steps of: forwarding the content to one or more caches (see col.8, lines 4-6) distributed throughout the computer network (see col.1, lines 50-52), each of said caches coupled to a switch or router (see Fig.2); storing the content in each of said one or more caches (see col.3, lines 53-55 and col.4, line 67 to col.5, line 3); and storing a record identifying said content in each of said one or more caches (see col.3, lines 54-55: "and/or other data for use by the forwarding engine 105 and routing engine 107") said record having an original location field identifying the original location of said content (see col.7, lines 3-4 & 24-28)."

Office Action, pages 5-6. It is further stated that that "Civanlar does not teach of said record having a distance field indicating a distance from said particular cache to the original location of said content, and a field indicating a version number of said content. However, the Office Action cites Green for "teaching of said record having a distance field indicating a distance from said particular cache to the original location of said content (see Fig.3C, #79; col.7, lines 56-52; and col.8, lines 47-50), and a field indicating a version number of said content (see Fig.3B, #84 and col.7 lines 26-31)." The Office Action further alleges that

> "it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Green within the system of Civanlar by implementing distance and version number field within the method, program, and

[4] U.S. Patent 5,517,494

> apparatus for making content available for users in a computer network because Civanlar teaches that other data may be used by the forwarder (see col.3, lines 54-55) and 'routing tables and/or other similar data' relates to the data received (see col.3, lines 58-62).' Therefore, any data relevant to the request and response could be employed to efficiently perform the same so long as too many entry fields are not used which would not result in a degradation of performance."

Office Action, page 6. Applicants respectfully disagree for the reasons set forth below.

As discussed above, Applicants are uncertain with what in Civanlar the Office Action equates the claimed "content." If the Office Action equates "content" with the routing table configuration data for updating each of the routing databases (col. 3, lines 43-46) and routing tables (col. 3, lines 57-62 and 104 of Fig. 1), Applicants maintain Civanlar does not teach or suggest "storing a record identifying the routing table configuration data in each of said one or more caches." In the present application, the "content" is distinct from the "record identifying the content" *See, e.g.*, Specification, page 15, lines 3-7; 502 and 504 of Fig. 9. However, the Office Action's statements of what comprises "content" and "record identifying the content" are not distinct. The Office Action equates the "routing table data" of Civanlar, with both the "record identifying the content" and the "content" of the present application. This was discussed earlier in response to the rejection of Claim 37. The routing tables cannot be both the "content" and a "routing table entry regarding the content." Therefore, when the routing table data itself is the "content," there would be no motivation to create an additional record identifying this "content." In other words, there would be no reason to create an additional record identifying already pre-existing routing table configuration data. There would be no motivation to store a record identifying routing table and/or routing table data and neither Green nor Civanlar teach "storing a record identifying the content (routing dable configuration data)."

Furthermore, even if Civanlar did teach or suggest "storing a record identifying said content in each of said one or more caches" the record would not have "an original location field

identifying the original location of said content." While Civanlar uses routing table configuration data to update the routing table, there is no reason for it to store or keep track of the original location addresses of the routing table configuration data. A router does not care where the updated routing table came from, it only cares that it is updated. Thus, Civanlar does not teach "storing a record identifying said content...said record having an original location field identifying the original location of said content."

If the Office Action equates the "content" with the data packets (e.g., Open System Interconnection (OSI) model Layer 3 data packets such as IP packets) that are processed by Civanlar's forwarding engine (col. 3 line 66- col. 4 line 1), Applicants likewise traverse the rejection. As discussed in response to the rejection of Claim 37, neither Green nor Civanlar teaches or suggests the storing of any record to include a version number.

Applicants respectfully maintain that independent claims 1, 41, 46 and 51 are in condition for allowance. Accordingly it is respectfully requested that the rejection of these claims be withdrawn.

Claims 10, 42, 47 and 52.

As per claims 10, 42, 47 and 52, the Office Action states that Civanlar teaches a method, program, and apparatus including:

> "a memory (see Fig.2, #200 and col.4, lines 29-30); a network interface coupled to said memory (see Fig.2, #201 or #202 and col.4, lines 30-34); and a processor (see Fig.2, #204 and col.4, lines 34-35 & 40) for performing the steps of receiving the content forwarded from the original location (see col.6, line 66 to col.7, line 1); storing the content in a cache (see col.3, lines 53-55; col.4, line 67 to col.5, line 3; and col.8, lines 4-6) coupled to a switch or router (see Fig.2); and storing a record identifying the content in said cache (see col.3, lines 54-55: "and/or other data for use by the forwarding engine 105 and routing enginge 107"), said record having an original location field identifying the original location of said content (see col.7, lines 3-4)."

Office Action, page 7. It is further stated that Civanlar does not explicitly teach said routing table entry having a distance field indicating the distance from said cache to the original location of said content, and a version number field indicating a version number of said content. However, the Office Action alleges that "Green teaches of said routing table entry having a distance field indicating the distance from said cache to the original location of said content, and a version number field indicating a version number of said content (see claim 1 rejection above)." Office Action, page 7. The Applicants respectfully disagree for the reasons set forth below.

As discussed earlier, Applicants are uncertain with what in Civanlar the Office Action equates "content" of the present claims. If the Office Action equates "content" with the routing table configuration data for updating each of the routing databases (Civanlar, col. 3 lines 43-46)and routing tables 104 (Civanlar, col. 3, lines 57-62 and Fig. 1), Applicants maintain Civanlar does not teach or suggest "storing a record identifying the routing table configuration data in each of said one or more caches...said record having an original location field identifying the original location of said content" This discussion was set forth above in response to the rejection of Claims 1, 31, 46 and 51.

On the other hand, if the Office Action equates the "content" with the data packets (e.g., Open System Interconnection (OSI) model Layer 3 data packets such as IP packets) that are processed by Civanlar's forwarding engine (col. 3 line 66 through col. 4 line 1), Applicants maintain that neither Civanlar nor Green teach or suggest the storing of a record to include a version number. This discussion is set forth above in response to the rejection of Claim 37.

Applicants respectfully maintain that, independent claims 10, 42, 47 and 52 are in condition for allowance. Accordingly it is respectfully requested that the rejection of these claims be withdrawn.

Claims 19, 43, 44, 48, 49, 53, and 54.

As per claims 19, 42, 44, 49, 53, and 54, page 8 of the Office Action states that " Civanlar teaches a method, program and apparatus including:

> a memory (see Fig.2 #200 and col.4, lines 29-30); a network interface coupled to said memory (see Fig.2, #201 or #202 and col.4, lines 30-34); and a processor (see Fig.2, #204 and col.4, lines 34-35 & 40) for performing the steps of: creating a routing table entry for the content in a cache (see col.3, lines 24-26 & 30-37 and col.8, lines 4-6), said routing table entry having an original location field identifying the original location of said content (see col.7, lines 3-4); forwarding said routing table entry to another of one or more caches in the computer network to allow said another of one or more caches to create a routing table entry for the content (see col.3, lines 41-47); and repeating said creating and forwarding for each of said one or more caches (see col.3, lines 41-47)."

Office Action, page 8. It is further stated that "Civanlar does not explicitly teach said routing table entry having a distance field indicating the distance from said cache to the original location of said content, and a version number field indicating a version number of said content." Office Action, page 8. However, it is alleged that Green "teaches of said routing table entry having a distance field indicating the distance from said cache to the original location of said content, and a version number field indicating a version number of said content (see claim 1 rejection above)." Office Action, page 8.

As discussed above, Applicants are uncertain with what in Civanlar the Office Action equates "content" of the present claims. If the Office Action equates "content" with the routing table configuration data for updating each of the routing databases (Col. 3 lines 43-46) and routing tables 104 (col. 3, lines 57-62), Applicants maintain Civanlar does not teach or suggest

"creating a routing table entry for the content in a cache, said routing table entry having an original location field identifying the original location of said content." As discussed in response to the rejection of Claim 37, Civanlar does not teach or suggest "creating a routing table entry for the content in a cache." Furthermore, even if Civanlar did teach or suggest creating a routing table entry for the content in a cache" the routing table entry would not have "an original location field identifying the original location of said content." As discussed in response to the rejection of Claims 1, 41, 46 and 51, Civanlar does not store or keep track of the original location of the content because a router does not care where the updated routing table came from, it only cares that it is updated.

On the other hand, if the Office Action equates the "content" with the data packets (e.g., Open System Interconnection (OSI) model Layer 3 data packets such as IP packets) that are processed by Civanlar's forwarding engine (Col. 3 line 66- Col. 4 line 1), Applicants maintain that neither Civanlar nor Green teach or suggest the storing of a record to include a version number. This discussion is set forth above in response to the rejection of Claim 37.

Applicants respectfully maintains that independent claims 19, 43, 44, 48, 49, 53 and 54 are in condition for allowance. Accordingly it is respectfully requested that the rejection of these claims be withdrawn.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Dependent Claims

Claims 2-9 depend on Claim 1, Claims 11-18 depend on Claim 10, Claims 20-31 depended upon Claim 19, Claims 33-35 depend upon Claim 32, and Claims 38-39 depend upon

Claim 37. The argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Request for Allowance

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,

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Dated: 12/16/03

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